

IFW

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: October 27, 2004 Name: Steven P. Shurtz Signature: /Steven P. Shurtz/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Robert J. Yotka et al.

Appln. No.: 10/712,114

Filed: Nov. 13, 2003

For: METHOD OF CONTROLLING
RELEASE OF N-SUBSTITUTED
DERIVATIVES OF ASPARTAME
IN CHEWING GUM AND GUM
PRODUCED THEREBY

Examiner: Arthur L. Corbin

Art Unit: 1761

Attorney Docket No: 1391/1561

**SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicants hereby cite the following references:

U.S. PATENT DOCUMENTS

DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME
3,492,131	01/27/1970	J. Schlatter
4,284,721	08/18/1981	Oyama et al.
4,673,582	06/06/1987	Nofre et al.
4,873,359	10/10/1989	Chmurny et al.
5,310,908	5/10/1994	Nofre et al.

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY
EP 0 272 220 A2	06/22/1988	Europe
EP 0 974 272 A1	01/26/2000	Europe
FR 2 719 592	11/10/1996	France

10/27/2004 10:00 AM 38600035 10742114
10/27/2004 10:00 AM 38600035 10742114

For the Examiner's convenience, Applicants are enclosing Form PTO-1449 (one page), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As all but one of the listed references is in English, no further commentary is believed to be necessary for those references, 37 C.F.R §1.98(a)(3). As to French patent Application No. 2,719,592, the relevance of the reference is given in the attached European Supplemental Search Report. Applicants respectfully request the Examiner's consideration of the above references and entry thereof into the record of this application.

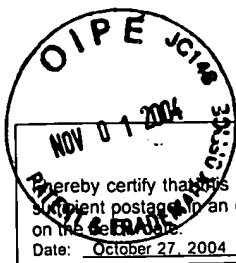
Applicant hereby certifies pursuant to 37 C.F.R. §1.97(e)(1) that no item of information in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application more than three months prior to the filing of this Statement (a copy of any foreign communication first citing a listed reference is attached for the Examiner's reference). Applicant has further calculated a processing fee in the amount of \$180.00 to be due under 37 C.F.R. §1.17(p) in connection with the filing of this Statement. Applicant has enclosed a Credit Card Payment Form in the amount of \$180.00 for the fee for filing this Supplemental Information Disclosure Statement.

If any additional fees are required relating to these materials, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925.

Respectfully submitted,

October 27, 2004
Date

/Steven P. Shurtz/
Steven P. Shurtz (Reg. No.31,424)



CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

Thereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date hereof.

Date: October 27, 2004 Name: Steven P. Shurtz Signature: /Steven P. Shurtz/

**BRINKS
HOFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: **Robert J. Yatka et al.**

Appln. No.: **10/712,114**

Filed: **Nov. 13, 2003**

For: **METHOD OF CONTROLLING RELEASE
OF N-SUBSTITUTED DERIVATIVES OF
ASPARTAME IN CHEWING GUM AND
GUM PRODUCED THEREBY**

Attorney Docket No: **1391-1561**

Examiner: **Arthur Corbin**

Art Unit: **1761**

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Supplemental Information Disclosure Statement, PTO 1449 form, copies of four cited references B6-B8 and credit card fee authorization form.
- ☒ Return Receipt Postcard

Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☒ Payment by credit card in the amount of \$180.00 (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

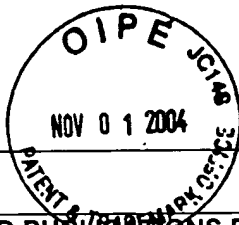
October 27, 2004

Date

/Steven P. Shurtz/

Steven P. Shurtz - Reg. No. 31,424

BRINKS HOFER GILSON & LIONE
NBC Tower – Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599



FORM PTO-1449	SERIAL NO. 10/712,114	CASE NO. 1391/1561
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE November 13, 2003	GROUP ART UNIT 1761
(use several sheets if necessary)		APPLICANT(S): Robert J. Yotka et al.

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	B1	3,492,131	01/27/1970	J. Schlatter		
	B2	4,284,721	08/18/1981	Oyama et al.		
	B3	4,673,582	06/06/1987	Nofre et al.		
	B4	4,873,359	10/10/1989	Chmurny et al.		
	B5	5,310,908	5/10/1994	Nofre et al.		

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES	NO
	B6	EP 0 272 220 A2	06/28/1988	Europe			
	B7	EP 0 974 272 A1	01/26/2000	Europe			
	B8	FR 2 719 592	11/10/1996	France			

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449	SERIAL NO. 10/712,114	CASE NO. 1391/1561
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE November 13, 2003	GROUP ART UNIT 1761
(use several sheets if necessary)		APPLICANT(S): Robert J. Yarka et al.

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	B1	3,492,131	01/27/1970	J. Schlatter		
	B2	4,284,721	08/18/1981	Oyama et al.		
	B3	4,673,582	06/06/1987	Nofre et al.		
	B4	4,873,359	10/10/1989	Chmurny et al.		
	B5	5,310,908	5/10/1994	Nofre et al.		

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES	NO
	B6	EP 0 272 220 A2	06/28/1988	Europe			
	B7	EP 0 974 272 A1	01/26/2000	Europe			
	B8	FR 2 719 592	11/10/1996	France			

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	
	B9	Supplementary European Search Report fro corresponding Application No. 98926372.9, dated July 28, 2004, 10 pages.

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.